

The “Partnership” Issue: Advertising OR Poor, Sick Mississippians (If you are a Legislator, you don’t have a choice!)

Advertising or Poor Sick Mississippians

If you had a \$1 billion state shortfall and you had access to \$20 million in new money and had the choice to spend it on anti-tobacco advertising or on poor children and adults who don't have enough money for the life-saving drugs and treatments they need to live -- regardless of how noble the prevention program may be -- how would YOU spend the money?

PEER says “Partnership” Unconstitutional

A November '03 Legislative PEER report found that the court order redirecting \$20M from the tobacco lawsuit payments to the state into the private “Partnership” was ILLEGAL (the court order circumvents the legislative appropriations process) and operates without oversight or audit, which is required of all other state-funded projects. That same PEER report recommended civil or legislative action to overrule the court order. PEER concluded:

“The Attorney General should seek dissolution of the December 2000 chancery court order that directed annual payments of \$20 million to the Partnership for a Healthy Mississippi. In the event that the Attorney General does not seek dissolution of the order, the Legislature should direct the Health Care Trust Fund to employ counsel as necessary to pursue any civil action necessary to either set aside the order or proceed against any person or persons who may have violated their fiduciary duty to the trust by advocating the order directing the payment of twenty million dollars to the Partnership for a Healthy Mississippi.”

The Original Purpose of the Tobacco Settlement? Medicaid.

The purpose of the original tobacco lawsuit in 1997 was to recoup Mississippi Medicaid dollars; redirecting the “Partnership’s \$20 million into the Medicaid program is in keeping with the intent of the legal action against the tobacco companies.

The “Partnership”: A Sweetheart Deal

Even though only the Mississippi Legislature can appropriate taxpayer dollars, in 2000, then-Attorney General Mike Moore was able to get a Jackson County judge to “direct” \$20 million of state funds to a private corporation (the “Partnership”) with absolutely NO Legislative approval or oversight. There was no motion to amend the settlement agreement; there was no notice to the parties; there was no presentation of evidence; and there was no hearing. The taxpayer dollars in the “Partnership” are under the control of a private board chaired by former Attorney General Mike Moore. They are free to use the money for whatever they choose, with no accountability.

Not Less Tobacco...Moore!

In 2004 the “Partnership” spent \$20,000 for a statewide newspaper ad that ran in papers across the state. Unfortunately, the ad had nothing to do with keeping youth from smoking. It was an ad praising Mike Moore for winning an award (see attachment). That’s just one \$20,000 example of politics over people at the “Partnership.” Just one of those ads would have paid for asthma breathing treatments for 28 Medicaid recipients.

Anti-Tobacco Programs for Less

The “Partnership” does some good work. But \$20 million a year? That \$20 million is almost twice as much as the state spends on fighting drugs and \$7 million more than what the state spends on agriculture! Mississippi could continue anti-tobacco program through other state agencies for much less?

Trial Lawyers Donations

Several Mississippi trial lawyers were made millionaires and billionaires off of the original Tobacco Settlement. Couldn't they personally fund a state anti-tobacco effort through private donations?

\$20 million = \$80 million

Thanks to the federal government's 3-to-1 match rate, Mississippi could invest the "Partnership's" \$20 million into our struggling Medicaid program and turn it into \$85 million a year. That would provide health care to more than 50,000 children every year.

Don't Ask, Don't Tell

The Tobacco Settlement paid Mississippi money which made it the property of the taxpayers. However, some of that taxpayer money was then diverted to the "Partnership." So now those particular taxpayer dollars have become the only taxpayer dollars in the state that are not public record, not subject to state audit and not approved by the people of Mississippi through their Legislature.

**\$85 million a year for poor and sick Mississippians
is only one court ruling and one legislative vote away.**